

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Martin S. Gottesfeld, pro se,
Plaintiff
- against -
Hugh J. Hurwitz, et al.


Civil No.: 18-cv-10836-PGG

NOTICE OF LIKELY SHENANIGANS

Plaintiff Martin S. Gottesfeld (herein "plaintiff"), acting pro se, hereby notifies The Honorable Court of likely shenanigans employed by the instant defendants and their parties in privity to hinder the plaintiff's lawful ability to litigate the instant case.

The plaintiff wishes, respectfully, pursuant to Fed. R. Evid. 201(c)(2), to direct The Honorable Court's attention to Exhibit 1 hereto: photocopied Federal Express® label, and Exhibit 2 hereto: Affidavit of Martin Gottesfeld. For the reasons enumerated in Exhibit 2 hereto, the plaintiff finds Exhibit 1 hereto suspicious. He believes that more likely than not some degree of foul play is afoot.

Respectfully mailed on Wednesday, September 4th, 2019, and filed thereat in accordance with Houston v. Lack, 487 U.S. 266 (1988) in an envelope bearing U.S. Postal Service tracking number 9114 9023 0722 4072 3901 79 with sufficient pre-paid U.S. first-class postage affixed, handed to Ms. ^{S. Wheeler} ~~Hissle~~ of the FCI Terre Haute CMU unit team for mailing to the Court in her official capacity as an agent of the defendants,


Martin S. Gottesfeld, pro se
Reg. No.: 12982-104
Federal Correctional Institution
P.O. Box 33
Terre Haute, IN 47808

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9-13-19

- Page 1 of 2 -

RECEIVED
CLERK'S OFFICE
2019 SEP 13 AM 11:55
S.D. OF N.Y.

CERTIFICATE OF SERVICE

I, Martin S. Gottesfeld, hereby certify that in accordance with Houston v. Lack, 487 U.S. 266 (1988) I mailed a copy of the foregoing document to counsel for the defendants in the above-captioned case by handing such copy in an envelope bearing sufficient pre-paid first-class U.S. postage affixed to Ms. ^{S. Wheeler} ~~Fiselle~~ of the FCI Terre Haute CMU unit team for mailing in her official capacity as an agent of the defendants,



Martin S. Gottesfeld, pro se

ORIGIN ID: KLLA (917) 477-6516
FIRST LOOK MEDIA

SHIP DATE: 29AUG19
ACTWGT: 2.00 LB
CAD: 112841452/INET4160

114 FIFTH AVE
FL 18
NEW YORK, NY 10011
UNITED STATES US

BILL SENDER

TO MARTIN GOTTESFELD REG NO 12982-104
FEDERAL CORRECTION INSTITUTION
P.O BOX 33

TERRE HAUTE IN 47808

(812) 244-4400
INV.
PO:

REF: THE INTERCEPT

DEPT:



FedEx
Express



413201506240104

TUE - 03 SEP 4:30P

TRK# 7761 0518 5618
0201

** 2DAY **

SH HUFA

47808

IN-US

IND



Pl in st flz th © U

Align bottom of peel-and-stick airbill or pouch here.

Affidavit of Martin S. Gottesfeld:

I, Martin S. Gottesfeld, hereby affirm that the following is true and accurate to the best of my knowledge, information, and belief on this 4th day of September, 2019, and I declare that the following is true and correct under penalty of perjury pursuant to 28 U.S.C. §1746:

1. My name is Martin S. Gottesfeld and I am the sole plaintiff in the case 18-cv-10836-PGG pending before The Honorable U.S. District Court for The Southern District of New York.

2. Today, my outgoing legal mail to First Look Media, 114 Fifth Ave., New York, NY 10011, was returned to me and I was provided with a photocopy of the Federal Express® shipping label exhibited as Exhibit 1 of this same federal-court filing.

3. I was referred to First Look Media by the Washington, D.C., bureau chief of The Intercept when I asked him for the contact information for the general counsel for The Intercept so that I could propose that The Intercept become a co-plaintiff in the aforementioned case.

4. The Washington, D.C., bureau chief of The Intercept provided me with the aforementioned postal address for First Look Media in his referral.

5. To my knowledge, First Look Media never opened my correspondence to discover that I contacted the firm about the Intercept and my writing.

6. On August 21st, 2019, I received a letter from my wife, Mrs. Dana E. Gottesfeld, confirming the filing of docket entry (D.E.) 69 in the aforementioned case and notifying me that the Washington, D.C., bureau chief of The Intercept, "is running the idea by legal..." This letter was mailed by my wife on August 14th. It mentioned Michelle Malkin's letter to the judge.

7. On August 27th, 2019, I received another letter from my wife, dated August 21st, 2019. It mentioned the media interest in MCC following the "suicide" of Jeffrey Epstein and her interviews with Daily Mail, RT, Yahoo News, and Loud and Clear radio, as well as the "reassignment" of defendant Hurwitz following the "suicide" of Jeffrey Epstein in the 9-South SHU, mentioned throughout the complaint in the aforementioned case. The letter also mentioned that my request for an extension of time in which to file my opposition to the defendants' motion to dismiss was granted.

8. Given my referral to First Look Media by The Intercept based upon my request to speak with its general counsel, the interest of Michelle Malkin and therefore likely other publishers as well, including the Intercept, in D.E. 69, and the intense media interest in MCC New York at the current time, I find it very unlikely that First Look Media would return my legal mail to its firm unopened, especially considering that the Washington, D.C., bureau chief of The Intercept referred D.E. 69 for legal clearance sixteen (16) days before the "SHIP DATE: 29AUG19" specified on the FedEx label.

9. Further, since First Look Media has never to my knowledge opened my mail to its firm, there would be no reason for its personnel to ensure that "REF: THE INTERCEPT" appears on their FedEx label returning my legal mail.

10. I also find it odd that the FedEx label from First Look Media specifies the phone number for FCI Terre Haute, i.e. "(812) 244-4400."

11. It has come to my attention that the parties in privity with the defendants in the aforementioned case have a considerable track record of

perpetrating ruses and hoaxes to dissuade FCI Terre Haute CMU inmates from corresponding with law firms under circumstances much less urgent to them than the continued cover-up of an ISIS-inspired murder in a DOJ black-site prison following the death of Jeffrey Epstein in another DOJ facility.

12. Based upon my personal experience in the 9-South MCC special-housing unit (SHU) on its "H" and "G" tiers, I find it highly unlikely that Jeffrey Epstein committed suicide. I was housed in that SHU for eighty-one (81) consecutive days, during which time a correctional officer who went by the moniker "Mungy" explicitly bragged to me about the difficulty of committing suicide in that SHU and the track record of foiled attempts therein.

13. I also met police officer Nick Tartaglione on "G" tier of the 9-South SHU when he was first brought in. I wrote about Mr. Tartaglione in The Huffington Post in my January 2017 open letter to then--Acting-Attorney-General Sally Yates. The Huffington Post redacted his name to "Officer N," or "Officer Nick," I believe. I view Mr. Tartaglione as an innocent victim of a DOJ setup meant to benefit a high-power criminal informant who is really guilty of the killing in question in the 2016-2017 criminal case against him.

14. Mr. Tartaglione is not a violent man. He spoke fondly of his mother's "Happy Tails" animal-rescue organization.

15. I trust Officer Tartaglione.

16. It has come to my attention that my legal mail to First Look Media may have been returned to me via Federal Express so that the perpetrator could avoid a possible mail-fraud charge.

17. I find it highly unlikely that First Look Media returned my legal mail as many law firms routinely return unsolicited mail from incarcerated persons because had First Look Media done such, then the FedEx label would not say "REF: THE INTERCEPT."

18. I find it highly unlikely that First Look Media would pay "*** 2DAY **" FedEx rates to return my legal mail without providing any further explanation as to why it was being returned, particularly given the "REF: THE INTERCEPT" also found on the label. I have received no explanation from either First Look Media or The Intercept as to why my legal mail would be returned.

19. I will hand this filing to Ms. Eisele or Ms. J. Wheeler of the FCI Terre Haute CMU unit team for mailing to the court in their official capacity as agents for the defendants in the aforementioned case in an envelope bearing sufficient pre-paid first-class U.S. postage affixed at the next opportunity pursuant to Houston v. Lack, 487 U.S. 266 (1988).

20. I have not received official notice from the court regarding my motion for an extension of time, though I did receive the defendants' assent to my request, delivered to me through the mail by the FCI Terre Haute unit team. I have not received any other correspondence from my wife since August 21st, 2019, except the two (2) letters cited above. I previously mailed a subsequent motion for an extension of time in which to file a motion for reconsideration of the court's recent denial of my motions for a TRO and a separate reply to the defendants' subsequent opposition to my other motion for a TRO protecting my right to publish. I don't know if those filings have made it to the court.

21. It has been some time since I received my subscription to The Hill and I last received my subscription to The Wall Street Journal in early May 2019. I believe that these papers are being deliberately withheld by the parties in privity with the defendants in the aforementioned case. I wrote to customer service at The Wall Street Journal to ensure that my name and registration number appear on the mailing label of each issue and that the subscription is being delivered to the P.O. Box address, and not the Bureau Road address, for FCI Terre Haute, as per the instructions of the FCI Terre Haute mail room in or about May 2019, but this has not resulted in the restoration of delivery. I continued receiving The Hill until a couple of weeks ago, roughly, around the time of the "reassignment" of defendant Hurwitz within the FBOP.

22. I have also tried to send legal mail to Ms. Rachel Meeropol, Esq., at The Center for Constitutional Rights (CCR), 666 Broadway, 7th Floor, New York, NY 10012 and Mr. Jeremy Green, Esq., at 68 Jay St., Suite 612, Brooklyn, NY 11201, but I am unsure if they ever received my correspondence. I used USPS tracking numbers 9114 9023 0722 4293 0877 59 (July 31st, 2019) and 9114 9023 0722 4293 0880 77 (August 29th, 2019) for my mail to Ms. Meeropol, and USPS tracking number 9114 9023 0722 4293 0876 74 (July 31st, 2019) for my mail to Mr. Green.

I declare under penalty of perjury that the foregoing is true and correct. Executed on Wednesday, September 4th, 2019.



Martin S. Gottesfeld

INDIANAPOLIS 46206
MON 07 SEP 2019 AM

2019 SEP 13 PM 11:13
501 67118

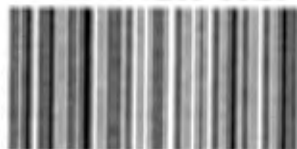
USM^{P3}
GDM V

Wednesday, September 4th, 2019, Houston v. Lack, 457 U.S. 266 (1982)

U S District Court
Pro Se Clerk
500 Pearl St
NEW YORK, NY 10007
United States

12982-104

0722 4072 3901 79



TRACKING #

STARS
SERVICE

IN 47806

ttesfeld
82-104
ctional Institution

